

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )

Amendment of Section 73.202(b) )

Table of Allotments )

FM Broadcast Stations )

(Seymour and Sellersburg, Indiana) )

MB Docket No. 03-98

RM-10688

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: Assistant Chief, Audio Division  
Media Bureau

COMMENTS

S.C.I. Broadcasting, Inc., licensee of Station WQKC(FM), Channel 229B, Seymour, Indiana ("Petitioner"), hereby submits its Comments in support of the Notice of Proposed Rule Making ("NPRM") in the above-captioned proceeding, DA 03-1122, released May 30, 2003. In support hereof, the Petitioner states as follows:

1. The NPRM proposes the substitution of Channel 230A for Channel 229B at Seymour, Indiana, and the reallocation of Channel 230A from Seymour to Sellersburg, Indiana, as the community's first local transmission service and modify the license for Station WQKC(FM) accordingly. The NPRM acknowledges that the Petitioner filed a Tuck<sup>1</sup> analysis demonstrating that Sellersburg is an independent community within the Louisville, Kentucky, Urbanized Area. The NPRM requested comments from the public.

2. Petitioner states that with regard to the Tuck analysis, Sellersburg fully satisfies the requirements of a community. In particular, Petitioner demonstrated that residents of Sellersburg work in several major companies located in Sellersburg. Sellersburg has its own newspaper and a website. The community has its own separate identity and history. The town

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<sup>1</sup> Faye and Richard Tuck, 3 FCC Rcd. 5374 (1988).

was established in 1846 and incorporated in 1890. The Sellersburg town government functions independently of any governmental units with an elected five-member town council. Sellersburg has its own zip code and local post office. There are over 100 small businesses located in Sellersburg and several health care providers which are set forth in an earlier filing and not resubmitted here. The town has numerous churches and religious organizations. Sellersburg has a telephone directory published by Ameritech (now SBC Communications). Local businesses advertise in the local newspaper and town website which enables them to reach the residents of Sellersburg without using Louisville media sources. Sellersburg has its own local public library and public schools. The town provides many municipal services such as police and fire protection, water and sanitation services and road maintenance. The relevant supporting documents are provided in the earlier filing and incorporated by reference here. They demonstrate that the residents of Sellersburg are not dependent on Louisville for any of Tuck factors.

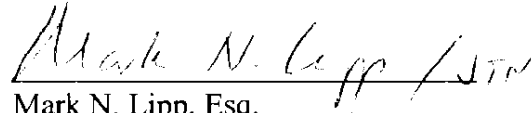
3. Petitioner hereby states for the record that should the Commission approve the requested changes to the FM Table of Allotments, S.C.I. Broadcasting, Inc. will immediately file the appropriate application to serve Sellersburg and construct the facility.

Accordingly, S.C.I. Broadcasting, Inc. urges the Commission to grant the petition.

Respectfully submitted,

S.C.I. BROADCASTING, INC.

By

A handwritten signature in cursive script, appearing to read "Mark N. Lipp / SCL".

Mark N. Lipp, Esq.

Vinson & Elkins, L.L.P.

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Its counsel

July 21, 2003

**CERTIFICATE OF SERVICE**

I, Lisa Balzer, a secretary in the law firm of Vinson & Elkins L.L.P., do hereby certify that on this 21st day of July, 2003, I caused a copy of the foregoing "Comments" to be hand delivered to:

Ms. Victoria McCauley  
Federal Communications Commission  
Media Bureau  
Audio Division  
445 12th Street, S.W.  
Room 2C-222  
Washington, D.C. 20554

  
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Lisa M. Balzer

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